
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

EVELINA S. ROSS,

Plaintiff,

versus

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 1:08-CV-318

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

The Court heretofore ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. Pursuant to such order, the Court has received and considered the Report of the United States Magistrate Judge regarding defendant's motion to dismiss filed on June 23, 2010 (Docket No. 15).

The court concludes that the findings of fact and conclusions of law of the United States Magistrate Judge are correct and the Report of the United States Magistrate Judge is **ADOPTED**, and defendant's "Motion to Dismiss" (Docket No. 15) is **GRANTED**. The purpose of the referral having been served, it is further

ORDERED that the reference to the magistrate judge is **VACATED**. A final judgment granting defendant's motion to dismiss will be entered separately.

SIGNED at Beaumont, Texas, this 9th day of March, 2011.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE